

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Mercado et al.

Appl. No.

: 10/028,451

Filed

: October 22, 2001

For

EXERCISE AND THERAPEUTIC

TRAINER

Examiner

Stephen R. Crow

Group Art Unit

3764

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

April 14, 2004

(Date)

TECHNOLOGY CENTER

Robert J. Roby, Reg. No. 44

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed February 24, 2004, Applicants hereby elect to pursue Species 2, Figures 18-19. Claims 1-27 each are readable on this species. This election is being made without traverse and this application now is believed to be in condition for substantive examination.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

By

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4.14.2004

Robert J. Roby

Registration No. 44,304

Attorney of Record Customer No. 20,995

(949) 760-0404

H:\DOCS\RJR\RJR-9350.DOC:ah 040904